

Message

From: Baron, Adam [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=563EF058707D4930868C6CF1E0828A43-BARON, ADAM]
Sent: 9/27/2019 4:50:59 PM
To: Thurmon, Clarke [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ee51ecf20b146d18fb2874c6b0d1b31-Thurmon, Clark]
Subject: RE: CTWS Compliance Orders

I was on travel rest of day – due to delays out Redmond. Looks like you might be out today? Let's talk Monday.



Adam Baron

Drinking Water Enforcement Officer
Field, Data, & Drinking Water Enforcement Section
Enforcement and Compliance Assurance Division
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Seattle, Washington 98101
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baron.adam@epa.gov

From: Thurmon, Clarke <Thurmon.Clarke@epa.gov>
Sent: Thursday, September 26, 2019 12:35 PM
To: Baron, Adam <Baron.Adam@epa.gov>
Subject: FW: CTWS Compliance Orders

Adam,

Hi.

I thought you were driving back from Warm Springs all day today, but it looks like you are on email.

Are you available to have a quick chat about the questions and requests Ellen Grover made in her email yesterday?
I am available any time after 2:30pm today.

Thanks,
Clarke

Clarke Thurmon

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From: Thurmon, Clarke
Sent: Thursday, September 26, 2019 12:33 PM
To: 'Ellen H. Grover' <ehg@karnopp.com>
Subject: RE: CTWS Compliance Orders

Ellen,

Hi.

Thank you for your email yesterday. I will work with Adam Baron to get you the information you requested as soon as possible.

Thanks,
Clarke

Clarke Thurmon
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From: Ellen H. Grover <ehg@karnopp.com>
Sent: Wednesday, September 25, 2019 10:56 AM
To: Thurmon, Clarke <Thurmon.Clarke@epa.gov>
Cc: Baron, Adam <Baron.Adam@epa.gov>; Alyssa Macy <alyssa.macy@wstribes.org>; michele stacona <michele.stacona@wstribes.org>; Ellen H. Grover <ehg@karnopp.com>; Nancy J. Hanson <njh@karnopp.com>; Brenda L Collette <BLC@karnopp.com>
Subject: CTWS Compliance Orders
Importance: High

Hi Clarke:

Adam and I discussed the status of extension letters for the EPA orders (Administrative Compliance Order on Consent and the Emergency Order) with respect to the Warm Springs water system. Adam is meeting with CTWS staff and leadership today to confirm the status of actual compliance items in the AOC and develop, hopefully, a consensus on the applicable extension date for the AOC Order. I hope I can run a draft of the letter by you before it goes final but it would rely on Section 5.8 of the AOC for this request.

We also discussed that the Emergency Order had a later start date. It is my understanding that this start date for compliance of the Emergency Order is July 15, 2019. Accordingly, I believe the 120 day assessment would be due on or near November 11 (I haven't double checked or docketed this yet). **Can you please confirm in writing EPA's understanding of the start date and current compliance date for that?** Adam did confirm on the phone generally (but not specific dates). Because we will not be out of compliance until that November date and because we need more information to establish a reliable extension date, I would propose that we develop a second letter of extension for the Emergency Order. Please let me know if you see a problem with that approach.

Last, there is one item that appears in both the Emergency Order and the AOC. It's the river intake scour system item (Section 3.29 of Emergency Order and Section 4.1(q)) of the AOC. I would propose that we include a footnote in our AOC extension letter requesting that the extended AOC date control compliance for purposes of both orders. Please let me know if we should handle that differently.

Thanks and I hope all is going well for you. Ellen

Ellen Grover
Partner



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